(28)

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (C) No. 7630 of 2007

PETITIONER : Sunil Hiraou, aged about 42 years, son of late Shri T.R.Hiraou, resident of M.I.G. – 2, No – 439, Hudco, Bhilai, Distt: Durg, Chhattisgarh.

VERSUS

RESPONDENTS : 1. State of Chhattisgarh, Through the Secretary, General Administration Department, D.K.S. Bhawan, Raipur (C.G.)
2. The Joint Collector, Distt: Durg, (CG)
3. The Chief Engineer, Public Health Department, Raipur (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

SB: Hon'ble Shri Satish K. Agnihotri, J.

Present: Shri Anil Tripathi, Advocate for the petitioner.
Shri Sumesh Bajaj, Government Advocate for the State/respondents.

ORAL ORDER

(Passed on 20th day of December, 2007)

1. Learned counsel appearing for the petitioner questions the legality and validity of the order dated 28.11.2007 (Annexure P/6) whereby the Joint Collector, for Collector, Durg, has informed the Yantrikiya Prashashkiya Adhikari, Mahanadi Godavari Kachhar, Chhattisgarh, Raipur that the dispute with regard to the caste of the petitioner has to be resolved by the State Level High Power Caste Scrutiny Committee, in accordance with law as laid down by the Supreme Court in various pronouncements.

2. Learned counsel seeks to impugne this order on the ground that the respondent No. 2 has no authority to refer the matter to any other forum. The contention of the learned counsel for the petitioner is noticed for being rejected on a simple ground that the Supreme Court in various decisions has held that any dispute with regard to the caste is to be decided by the State Level High Power Caste Scrutiny Committee.

3. In the facts and circumstances of this case, this petition is frivolous, baseless and warrants no interference.

4. Accordingly, the petition deserves to be and is dismissed, summarily.

Sd/-
Satish K. Agnihotri
Judge

Amit